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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,502	02/22/2002	Kimberlee A. Kemble	BOC9-2001-0017 (261)	1503
40987	7590	12/27/2007	EXAMINER	
AKERMAN SENTERFITT			SERROU, ABDELALI	
P. O. BOX 3188			ART UNIT	PAPER NUMBER
WEST PALM BEACH, FL 33402-3188			2626	
			MAIL DATE	DELIVERY MODE
			12/27/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/081,502	Applicant(s) KEMBLE ET AL.	
	Examiner Abdelali Serrou	Art Unit 2626	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 October 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 19,20,22-25,27-30,32-35,37 and 38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 19,20,22-25,27-30,32-35,37 and 38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                            |                                                                                         |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                           | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

## **DETAILED ACTION**

### ***Request for Continued Examination***

1. In response to the Final Rejection mailed on 08/03/07, applicant filed an RCE on 10/23/2007, canceling claims 21, 26, 31, and 36. The pending claims are 19-20, 22-25, 27-30, 32-35, and 37-38.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 19-20, 24-25, 28-30, 34-35, and 38**, are rejected under 35 U.S.C. 102(e) as being anticipated by McAlister et al., Patent No. 6,421,672.

**As per claims 19, 24, 29, and 34**, McAllister et al. teach a method for disambiguating search results (see abstract) comprising:

retrieving multiple database entries (multiple listings, col. 2, line 42-51) responsive to a database search, wherein said retrieved database entries include a plurality of common data fields (primary key and secondary data fields, col. 2, lines 53 and 60; and col. 5, line 6);

processing data items in each of the data fields of said retrieved database entries according to predetermined disambiguation criteria (col. 7, lines 46-63, and col. 8, lines 44-65, wherein additional processing and database are provided to resolve the ambiguity of the listings,

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according to predetermined disambiguation criteria, and distinguish it between other listings, when the listings disambiguation that lead to an accurate pronunciation is not configured);

based upon said processing, identifying from among said plurality of common data fields at least one disambiguation data field that satisfies said predetermined disambiguation criteria (col. 3, lines 34-54, wherein the system uses hierarchical search pattern to identify distinguishing information, and determines that the locations, along with the names, of the identified listings is more suitable to identify the right candidate);

excluding data fields having data items that are not able to be accurately pronounced using the speech interface (col. 4, lines 23-25, “. . . eliminate unlikely pronunciations”), wherein data item pronounceability is determined using at least one of a determination technique based upon a failed dictionary lookup where the dictionary contains pronounceable data items and a determination technique that analyzes patterns of consonant-vowel combinations occurring within the data items (inherently disclosed in the system, to synthesize speech, col. 4, line 61 – col. 5, line3).

selecting one disambiguation data field based on a predetermined selection criterion when more than one disambiguation data field is identified in the identifying step, wherein the selected data field has not been excluded (col. 3, lines 34-54, wherein a disambiguation field (location) is selected to distinguish between the callers); and

presenting, through a speech interface (speech signal) , data items corresponding to said selected disambiguation data field for each said retrieved database entry (see col. 3, lines 47-54), wherein said speech interface is used in conjunction with a system in which said database search is performed (see Fig. 1, field 34a and col. 7, lines 63-67), and wherein said speech interface

provides users of said system with an interface for searching for information contained within a database in which said database search was conducted and with an interface for audibly receiving results of said database search (see col. 9, lines 37-67).

**As per claims 20, 25, 30, and 35**, McAllister teaches excluding data fields of said retrieved database entries having duplicate data items (see col. 2, lines 52-65).

**As per claims 28 and 38**, Mc Allister teaches receiving a user input specifying a data item associated with said selected disambiguation data field to disambiguate said retrieved database entries (col. 3, lines 55-65).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 22, 23, 27, 32, 33, and 37** are rejected under 35 U.S.C. 103(a) as being unpatentable over McAllister et al. in view of Gilai et al., U.S. Patent No. 6,256,630.

**As per claims 22, 27, 32, and 37**, McAllister et al. disclose all the limitations of claims 19, 24, 29, and 34 upon which claims 22, 27, 32, and 37 depend. McAllister et al. do not explicitly teach excluding data fields having data items that exceed a predetermined maximum threshold, wherein the maximum length is determined from an empirical analysis of a relative ease with which users recall audibly presented speech items. However, this feature is well known in the art as evidenced by Gilai et al. which disclose a database accessing system and

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method comprising the step of excluding data fields having data items that exceed a predetermined maximum threshold, wherein the maximum length is determined from an empirical analysis of a relative ease with which users recall audibly presented speech items (see col. 12, part c and col. 7, lines 55-60). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the similarity method of Gilai et al. (which meets the claimed limitation of “empirical analysis of relative ease” to improve the accuracy and efficiency of the retrieval process by providing the best selected candidate entries (Gilai, col. 16, pages 14-23).

**As per claims 23 and 33**, McAllister et al. disclose all the limitations of claims 19 and 29, upon which claims 23 and 33 depend. McAllister et al. do not explicitly teach selecting the disambiguation data field having data items with a smallest average length. However, this feature is well known in the art as evidenced by Gilai et al. which discloses a database accessing system and method comprising the step of determining a data from said plurality of common data fields having data item with a smallest average length, (see col. 12, part b). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the determining step of Gilai et al. in the processing step of McAllister et al., because this would improve the accuracy and efficiency of the data retrieval process by providing the best selected candidate entries (Gilai, col. 16, pages 14-23).


*Conclusion*

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdelali Serrou whose telephone number is 571-272-7638. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David R. Hudspeth can be reached on 571-272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A. Serrou  
12/21/07

  
**DAVID HUDSPETH**  
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